
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1351 Session of
2007

INTRODUCED BY ROHRER, JOSEPHS, BELFANTI, CALTAGIRONE, CARROLL,
COHEN, CREIGHTON, CUTLER, DENLINGER, DeWEESE, GIBBONS,
GINGRICH, HARPER, HORNAMAN, JAMES, KAUFFMAN, KORTZ, KOTIK,
LEACH, MANDERINO, MANTZ, MILNE, MUNDY, NAILOR, NICKOL,
PETRARCA, RAPP, REICHLLEY, ROAE, ROSS, SIPTROTH, STEIL, SURRA,
SWANGER AND WALKO, MAY 24, 2007

REFERRED TO COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, MAY 24, 2007

AN ACT

1 Relating to compliance with the Federal REAL ID Act of 2005.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Pennsylvania
6 REAL ID Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Biometric data." Information relating to a biological
12 characteristic of an individual that makes that individual
13 unique from any other individual, including, but not limited to,
14 the following:

15 (1) Fingerprints, palm prints and other means for

1 measuring or recording ridge pattern or fingertip
2 characteristics.

3 (2) Facial feature pattern characteristics.

4 (3) Behavior characteristics of a handwritten signature,
5 such as shape, speed, pressure, pen angle or sequence.

6 (4) Voice data used for comparing live speech with a
7 previously created speech model of an individual's voice.

8 (5) Iris recognition data containing color or texture
9 patterns or codes.

10 (6) Keystroke dynamics, measuring pressure applied to
11 key pads.

12 (7) Hand geometry, measuring hand characteristics,
13 including the shape and length of fingers, in three
14 dimensions.

15 (8) Retinal scans, reading through the pupil to measure
16 blood vessels lining the retina.

17 (9) Deoxyribonucleic acid or ribonucleic acid.

18 "Economic privacy." The privacy of an individual that
19 relates to a right, privilege or reasonable expectation that
20 certain information is required by law to be held confidential
21 or is otherwise considered to be confidential to that
22 individual, including, but not limited to:

23 (1) Information included in a tax return required by law
24 to be filed with the Federal, State or a local government.

25 (2) Information on financial transactions conducted by
26 or on behalf of the individual.

27 (3) Information of investment transactions conducted by
28 or on behalf of the individual.

29 "REAL ID Act of 2005." Division B of the Emergency
30 Supplemental Appropriations Act for Defense, the Global War on

1 Terror and Tsunami Relief, 2005 (Public Law 109-13, 119 Stat.
2 302).

3 Section 3. Participation in the REAL ID Act of 2005.

4 Neither the Governor nor the Department of Transportation or
5 any other Commonwealth agency shall participate in the
6 compliance of any provision of the REAL ID Act of 2005 until the
7 Department of Homeland Security expressly guarantees, through
8 adequately defined safeguards, that implementation of the REAL
9 ID Act of 2005 will not compromise the economic privacy or
10 biometric data of any resident of this Commonwealth. The
11 provisions of the REAL ID Act of 2005 shall not be implemented
12 until all costs of implementation have been met through Federal
13 funding.

14 Section 4. Legal challenge.

15 Either the Governor or the Attorney General may file an
16 action in a court of competent jurisdiction to challenge the
17 constitutionality or legality of the REAL ID Act of 2005.

18 Section 5. Effective date.

19 This act shall take effect in 60 days.